



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/902,287	07/10/2001	Michael Conor Minogue	

CONFIRMATION NO. 8694

FORMALITIES LETTER



OC00000006492400

FROMMER LAWRENCE & HAUG LLP
745 Fifth Avenue
New York, NY 10151

Date Mailed: 08/29/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

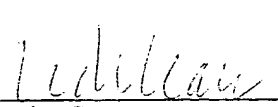
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

A copy of this notice MUST be returned with the reply.


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



03-18-02

03co

PATENT
660057-2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Michael Conor MINOGUE
Michael Louis CROWE

U.S. Appln. No. : 09/902,287

U.S. Filing Date : July 10, 2001

Title of Invention : AN ELECTROTHERAPY DEVICE AND
METHOD

745 Fifth Avenue
New York, NY 10151

EXPRESS MAIL

Mailing Label Number: EV 073697738 US

Date of Deposit: March 14, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents Washington, DC 20231.

Edward Nay
(Typed or printed name of person mailing paper or fee)

[Signature]
(Signature of person mailing paper or fee)

RESPONSE TO
NOTICE OF INCOMPLETE REPLY

Assistant Commissioner for Patents
Washington, D.C. 20231
Box Missing Parts

Dear Sir:

In response to the Notice of Incomplete Reply mailed February 6, 2002,
Applicants respond as follows. The Notice of Incomplete Reply indicates that the Oath or
Declaration submitted with the application is unsigned. Applicants submit that a signed

09902287 031402

Declaration was submitted to the U.S. Patent and Trademark Office by Express Mail on October 26, 2001. Applicants enclose a copy of the return receipt postcard received from the U.S. Patent and Trademark Office, a copy of the Express Mail label, a copy of the original response, and a copy of the signed Declaration submitted therewith.

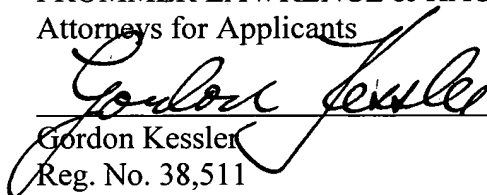
In view of the foregoing, it is believed that the above-identified application is complete and early examination thereof on its merits is solicited.

Please charge any additional fees required for the filing of this application or credit any overpayment to Deposit Account No. 50-0320.

Respectfully submitted,

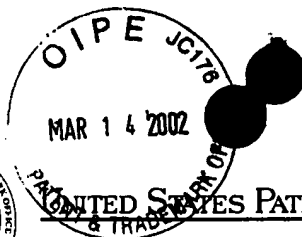
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By:


Gordon Kessler
Reg. No. 38,511
(212) 588-0800

Encls. Copy of the return receipt postcard
Copy of the Express Mail label
Copy of the original response (10/26/01)
Copy of check #018205 for \$65.00
Copy of the signed Declaration
Copy of Notice to File Missing Parts (8/29/01)

09902287-031402



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/902,287	07/10/2001	Michael Conor Minogue	

CONFIRMATION NO. 8694

FORMALITIES LETTER



OC000000007429794

FROMMER LAWRENCE & HAUG LLP
745 Fifth Avenue
New York, NY 10151

Date Mailed: 02/06/2002

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 01/21/2002 to the Notice to File Missing Parts (Notice) mailed 08/29/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The oath or declaration is unsigned.

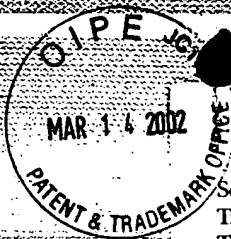
*A copy of this notice **MUST** be returned with the reply.*

A. Tesdare
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

204130 28220660



Serial No. 09/902,287 File No. 66 0057-2005 By GMC

Title In the Matter of the Application of MINOGUE + CROWC
The following due _____ in the U.S. Patent Office, was received in the Patent Office

- | | | |
|--|--------------------------------------|--|
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Declaration | <input type="checkbox"/> Express Mail Mailing Certificate (separate sheet) <u>01/22/06</u> <u>40</u> |
| <input type="checkbox"/> Amendment | | <input checked="" type="checkbox"/> Check No. <u>01/22/05</u> for \$ <u>65</u> |
| <input type="checkbox"/> Preliminary Amendment | | <input type="checkbox"/> Deposit Account Order Form |
| <input type="checkbox"/> Amendment After Final Rejection | | <input type="checkbox"/> Drawing _____ Sheet(s) |
| <input type="checkbox"/> Request for Extension of Time | | <input type="checkbox"/> Information Disclosure Statement |
| <input type="checkbox"/> Provisional Patent Application | | <input type="checkbox"/> PTO Form 1449 |
| <input type="checkbox"/> Application for Patent, including _____ Pages Specification _____ Claims | | <input type="checkbox"/> Issue Fee Transmittal |
| <input checked="" type="checkbox"/> Declaration <input checked="" type="checkbox"/> Oath <input checked="" type="checkbox"/> Power | | <input type="checkbox"/> Brief <input type="checkbox"/> Letter |
| <input type="checkbox"/> Request for Filing Continuation or Divisional Application _____ sheets, in duplicate | | <input type="checkbox"/> Application for TM Registration Including _____ Specimens |
| <input type="checkbox"/> File Wrapper Continuation Patent Application _____ sheets, in duplicate | | <input type="checkbox"/> Status Request <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> PCT Request _____ sheets, including | | <input type="checkbox"/> Petition <input checked="" type="checkbox"/> Response to NOTICE TO FILE MISSING PARTS |
| <input type="checkbox"/> Transmittal Letter to the US/RO | | <input type="checkbox"/> Priority Document |
| <input checked="" type="checkbox"/> Assignment <input checked="" type="checkbox"/> Recordation Cover Sheet | | <input type="checkbox"/> Small Entity Declaration |
| | | <input checked="" type="checkbox"/> <u>Copy of Notice</u> |

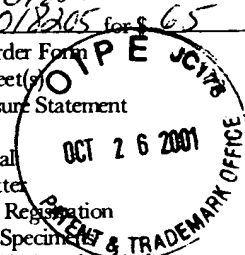
Express Mail EL 8/9/06 8115 US on 10/26/01

Serial No. 09/902,287 File No. 66 0057-2005 By GMC

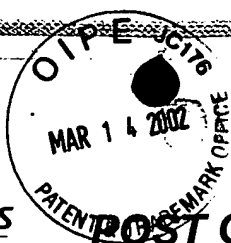
Title In the Matter of the Application of MINOGUE + CROWC
The following due _____ in the U.S. Patent Office, was received in the Patent Office

- | | | |
|--|--------------------------------------|--|
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Declaration | <input type="checkbox"/> Express Mail Mailing Certificate (separate sheet) <u>01/22/06</u> <u>40</u> |
| <input type="checkbox"/> Amendment | | <input checked="" type="checkbox"/> Check No. <u>01/22/05</u> for \$ <u>65</u> |
| <input type="checkbox"/> Preliminary Amendment | | <input type="checkbox"/> Deposit Account Order Form |
| <input type="checkbox"/> Amendment After Final Rejection | | <input type="checkbox"/> Drawing _____ Sheet(s) |
| <input type="checkbox"/> Request for Extension of Time | | <input type="checkbox"/> Information Disclosure Statement |
| <input type="checkbox"/> Provisional Patent Application | | <input type="checkbox"/> PTO Form 1449 |
| <input type="checkbox"/> Application for Patent, including _____ Pages Specification _____ Claims | | <input type="checkbox"/> Issue Fee Transmittal |
| <input checked="" type="checkbox"/> Declaration <input checked="" type="checkbox"/> Oath <input checked="" type="checkbox"/> Power | | <input type="checkbox"/> Brief <input type="checkbox"/> Letter |
| <input type="checkbox"/> Request for Filing Continuation or Divisional Application _____ sheets, in duplicate | | <input type="checkbox"/> Application for TM Registration Including _____ Specimens |
| <input type="checkbox"/> File Wrapper Continuation Patent Application _____ sheets, in duplicate | | <input type="checkbox"/> Status Request <input type="checkbox"/> Notice of Appeal |
| <input type="checkbox"/> PCT Request _____ sheets, including | | <input type="checkbox"/> Petition <input checked="" type="checkbox"/> Response to NOTICE TO FILE MISSING PARTS |
| <input type="checkbox"/> Transmittal Letter to the US/RO | | <input type="checkbox"/> Priority Document |
| <input checked="" type="checkbox"/> Assignment <input checked="" type="checkbox"/> Recordation Cover Sheet | | <input type="checkbox"/> Small Entity Declaration |
| | | <input checked="" type="checkbox"/> <u>Copy of Notice</u> |

Express Mail EL 8/9/06 8115 US on 10/26/01



REST AVAILABLE COPY



EL 819168115 US



POST OFFICE TO ADDRESSEE

ORIGIN (POSTAL USE ONLY)			DELIVERY (POSTAL USE ONLY)		
PO ZIP Code	Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>	Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Date In	<input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$	Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day Year	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee	Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Time In <input type="checkbox"/> AM <input type="checkbox"/> PM	Military	COD Fee	<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.		
Weight lbs. ozs.	Int'l Alpha Country Code	Insurance Fee	<input type="checkbox"/> NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday Customer Signature		
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials	Total Postage & Fees \$			
CUSTOMER USE ONLY METHOD OF PAYMENT: Express Mail Corporate Acct. No.			Federal Agency Acct. No. or Postal Service Acct. No.		
FROM: (PLEASE PRINT) PHONE 212 588 0800 FROMMER LAWRENCE & HAUG LLP 745 5TH AVE FL 10 NEW YORK NY 10151-1000 660057-2005			TO: (PLEASE PRINT) PHONE ASST. COMMISSIONER FOR PATENTS WASHINGTON DC 20231 BOX MISS. NG PARTS		

PRESS HARD. You are making 3 copies. **FOR PICKUP OR TRACKING CALL 1-800-222-1811** www.usps.com **EMS**

Mailing Label
Label 11-F August 2000

F02
T

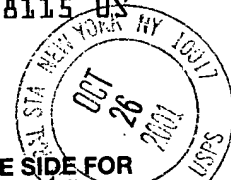
894 /



POST OFFICE TO ADDRESSEE



EL 819168115 US

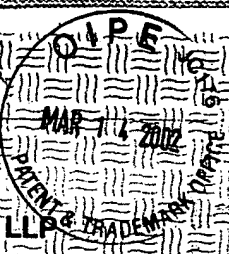


**SEE REVERSE SIDE FOR
SERVICE GUARANTEE AND LIMITS
ON INSURANCE COVERAGE**

ORIGIN (POSTAL USE ONLY)			DELIVERY (POSTAL USE ONLY)		
PO ZIP Code 10017	Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> Second	Flat Rate Envelope <input type="checkbox"/>	Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Date In 102601	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$ 12.45	Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day Year 2058	<input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee	Mo. Day	<input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Time In <input type="checkbox"/> AM <input type="checkbox"/> PM	Military	COD Fee	<input type="checkbox"/> WAIVER OF SIGNATURE (Domestic Only): Additional merchandise insurance is void if waiver of signature is requested. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.		
Weight lbs. 3.10 ozs.	Int'l Alpha Country Code	Insurance Fee	<input type="checkbox"/> NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday Customer Signature		
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials AC	Total Postage & Fees \$ 12.45			
CUSTOMER USE ONLY METHOD OF PAYMENT: Express Mail Corporate Acct. No.			Federal Agency Acct. No. or Postal Service Acct. No.		
FROM: (PLEASE PRINT) PHONE 212 588 0800 FROMMER LAWRENCE & HAUG LLP 745 5TH AVE FL 10 NEW YORK NY 10151-1000 660057-2005			TO: (PLEASE PRINT) PHONE ASST. COMMISSIONER FOR PATENTS WASHINGTON DC 20231 BOX MISS. NG PARTS		

Customer Copy
Label 11-F August 2000

BEST AVAILABLE



Standard Register © ZIPSET®

018205

FROMMER LAWRENCE & HAUG LLP

745 FIFTH AVENUE
NEW YORK, NY 10151

October 26 2001

1-210 428

PAY TO THE
ORDER OF

COMMISSIONER OF PATENTS AND TRADEMARKS

\$ 65.00

THE SUM 65.00

DOLLARS

THE BANK OF NEW YORK
575 MADISON AVENUE
NEW YORK, NY 10022

FROMMER LAWRENCE & HAUG LLP

CHARGE ANY ADD'L FEES TO DEPOSIT ACCT. #50-0320

⑈018205⑈ ⑆021000018⑆ ⑈6301147455⑈

DETACH AND RETAIN THIS STATEMENT

THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

FROMMER LAWRENCE & HAUG LLP

APPLICANT Menogue et al.
SERIAL NO. 09/902,287 FL & H DOCKET NO. 660057-2005
TITLE An Electrotherapy Device and Method

- | | |
|--|--|
| <input type="checkbox"/> APPEAL BRIEF | <input type="checkbox"/> PETITION FEE |
| <input type="checkbox"/> APPEAL FEE | <input type="checkbox"/> PETITION FOR CANCELLATION |
| <input type="checkbox"/> CERTIFICATE OF CORRECTION | <input type="checkbox"/> PETITION TO REVIVE |
| <input type="checkbox"/> DISCLAIMER | <input type="checkbox"/> RECORDING FEE |
| <input type="checkbox"/> EXTENSION OF TIME | <input type="checkbox"/> REQUEST FOR ORAL HEARING |
| <input type="checkbox"/> FEE FOR ADDED CLAIMS | <input type="checkbox"/> SEC. 8 TM DECLARATION FEE |
| <input type="checkbox"/> FILING FEE | <input type="checkbox"/> STATEMENT OF USE |
| <input type="checkbox"/> ISSUE FEE | <input type="checkbox"/> TM RENEWAL |
| <input type="checkbox"/> MAINTENANCE FEE | <input type="checkbox"/> |
| <input type="checkbox"/> MISSING PARTS | <input checked="" type="checkbox"/> <u>Surcharge</u> |
| <input type="checkbox"/> NOTICE OF OPPOSITION | <input type="checkbox"/> |

☒ PLEASE CHARGE ANY ADDITIONAL FEES OR CREDIT OVER PAYMENT TO DEPOSIT ACCOUNT NO. 50-0320

CHARGE TO

NAME OF CLIENT OR ACCOUNT	FILE NO.	ATTORNEY	AMOUNT
	660057-2005	GK/PO	65.00